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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 TIMOTHY D. JOHNSON,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of the
13 Social Security Administration,

14 Defendant.

CASE NO. 11-cv-05511-JRC

ORDER TO SHOW CAUSE

15 This matter is before the Court on plaintiff's Motion for Leave to Proceed *in forma*
16 *pauperis* (ECF No. 1).

17 On July 5, 2011, plaintiff filed his application to proceed *in forma pauperis* and written
18 consent for payment of costs, along with his proposed complaint, cover sheet and summons
19 (Motion for Leave to Proceed *in forma pauperis*, ECF No. 1, Attachments 1-6). The application
20 and consent were signed by the attorney "per oral authorization" from plaintiff (See Motion for
21 Leave to Proceed *in forma pauperis*, ECF No. 1, p. 2, Written Consent for Payment of Costs,
22 Attachment 3).

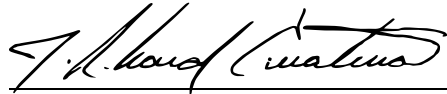
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24 The Application to Proceed *in forma pauperis* requires that a plaintiff "declare under
25 penalty of perjury" that the information included on the application is "true and correct" (see id.).
26 Although attorneys often sign documents on behalf of their clients, it is not proper for an
attorney to make a declaration "under penalty of perjury" on behalf of a client. It is the actual

1 plaintiff that must make the proper declaration here, and it cannot be completed via oral
2 authorization through his attorney.

3 Accordingly, **by no later than August 22, 2011, plaintiff either shall file the**
4 **application and consent forms signed by plaintiff or show cause why his motion should not**
5 **be denied.**

6 The clerk is directed to note August 22, 2011 on the calendar and send a copy of this
7 order to counsel of record.
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9 DATED this 11th day of July, 2011.

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12 J. Richard Creatura
13 United States Magistrate Judge
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